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In re Application of :
Frank PUTTKAMMER :
Application No. 10/619,038 :
Filed: July 13, 2003 :
Attorney Docket No. HANN0001 :

OFFICE OF PETITIONS

ON PETITION

This is a decision on the renewed petition under 37 CFR 1.137(b), filed May 25, 2006, to revive the above-identified application.

The petition is **GRANTED**.

The above-identified application became abandoned for failure to reply in a timely manner to the non-final Office action mailed December 30, 2004, which set a shortened statutory period for reply of three (3) months. Accordingly the above-identified application became abandoned on March 31, 2005.

The petition satisfies the conditions for revival pursuant to the provisions of 37 CFR 1.137(b) in that (1) the reply in the form of an amendment; (2) the petition fee of \$750; and (3) the required statement of unintentional delay have been received. Accordingly, the reply to the non-final Office action of December 30, 2004 is accepted as having been unintentionally delayed.

It is not apparent whether the person signing the statement of unintentional delay was in a position to have firsthand knowledge of the facts and circumstances of the delay at issue. Nevertheless, such statement is being treated as having been made as the result of a reasonable inquiry into the facts and circumstances of such delay. See 37 CFR 10.18(b) and Changes to Patent Practice and Procedure; Final rule Notice, 62 Fed. Reg. 53131, 53178 (October 10, 1997), 1203 Off. Gaz. Pat. Office 63, 103 (October 21, 1997). In the event that such an inquiry has not been made, petitioner must make such an inquiry. If such inquiry results in the discovery that it is not correct that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant of 37 CFR 1.137(b) was unintentional, petitioner must notify the Office.

Petitioner is reminded that a revocation of power of attorney by the assignee was filed December 8, 2005. The revocation is not acceptable because the statement under 37 CFR 3.73(b) did not include a statement specifying where documentary evidence of a chain of title from the original owner to the assignee is recorded in the assignment records of the Office (e.g., reel and frame number). A courtesy copy of this decision is being mailed to the address given on the petition; however, the office will mail all future correspondence solely to the address of record

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-7099.

The application file is being referred to Technology Center AU 2877 for appropriate action on the amendment filed January 13, 2006.

A handwritten signature in black ink, appearing to read 'David Bucci', is written over the printed name.

David Bucci
Petitions Examiner
Office of Petitions